

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ALLAN FLETCHER,

Plaintiff,

v.

CLENDENIN, *et al.*,

Defendants.

Case No. 1:22-cv-00249-BAM (PC)

**ORDER TO SUBMIT A NON-PRISONER
APPLICATION TO PROCEED *IN FORMA
PAUPERIS* OR PAY THE \$402.00 FILING
FEE**

FORTY-FIVE (45) DAY DEADLINE

Plaintiff Dexter Lawrence Griffin ("Plaintiff") is a civil detainee appearing *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. Individuals detained pursuant to California Welfare and Institutions Code § 6600 *et seq.* are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act. *Page v. Torrey*, 201 F.3d 1136, 1140 (9th Cir. 2000).

Plaintiff has neither paid the \$402.00 filing fee nor submitted an application to proceed *in forma pauperis* on the appropriate form pursuant to 28 U.S.C. § 1915. While Plaintiff did submit a motion for leave to proceed *in forma pauperis* with his complaint, the application is the one used by a prisoner. (ECF No. 2.)

Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk's Office shall send to Plaintiff the attached application to proceed *in forma pauperis* for a **non-prisoner**;

3. Failure to comply with this order will result in dismissal of this action.

Dated: **March 2, 2022**

2